

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Melissa Tripp,
Plaintiff

v.

Civil Case No. 1:23-cv-_____

Exeter Hospital, Inc.,
Defendant

NOTICE OF REMOVAL
AND DEMAND FOR JURY TRIAL

PLEASE TAKE NOTICE that pursuant to 28 U.S.C. §§1441, Defendant EXETER HOSPITAL, INC., by and through its attorneys, JACKSON LEWIS P.C., hereby removes this action from the Superior Court of the State of New Hampshire, Strafford County, to the United States District Court for the District of New Hampshire.

In support of this Notice of Removal, Defendant states as follows:

1. By Complaint filed on or about February 24, 2023, Plaintiff Melissa Tripp instituted claims against Defendant in the Strafford County Superior Court alleging discrimination, harassment, and retaliation on the basis of religion in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e, et seq. and NH RSA 354-A, et seq, and wrongful discharge under state law. In accordance with 28 U.S.C. § 1446(a), true and correct copies of the Summons and Complaint are attached hereto as Exhibit 1, certified copies of which will be forwarded upon receipt of the state court record from the Strafford County Superior Court.

2. Pursuant to 28 U.S.C. § 1446(a), this notice of removal is timely filed within thirty (30) days of March 7, 2023, the date on which counsel for Defendant received the Complaint and Summons, with a request to waive service, from Plaintiff's counsel.

3. Defendant has not served any answer or responsive pleading to the Complaint, nor made any appearance or argument before the state court.

4. This Court has original jurisdiction over this action by virtue of federal question jurisdiction pursuant to 28 U.S.C. §1331. Specifically, Plaintiff alleges alleging discrimination, harassment, and retaliation on the basis of religion in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e, et seq. and NH RSA 354-A, et seq, and wrongful discharge under state law.

5. Defendant submits this Notice without waiving any defenses to the claims asserted by Plaintiff or conceding that Plaintiff has pled claims upon which relief can be granted.

6. As this action could have been commenced in this Court, removal is proper. 28 U.S.C. §1441(a). Furthermore, this Court may exercise supplemental jurisdiction over the Plaintiff's state law claims. See 28 U.S.C. §1367(a).

Respectfully Submitted,
EXETER HOSPITAL, INC.,
By its attorneys,
JACKSON LEWIS P.C.,

Date: April 5, 2023

By: /s/K. Joshua Scott
K. Joshua Scott, NHBA# 17479
100 International Drive, Suite 363
Portsmouth, NH 03801
603.559.2711
joshua.scott@jacksonlewis.com

Certificate of Service

I hereby certify that a copy of the foregoing was this day served via email on Leslie H. Johnson, Esq. (leslie@lesliejohnsonlaw.com), counsel for Plaintiff, and via the state court's electronic filing system on Kimberly T. Myers, Clerk, Strafford County Superior Court, 259 County Farm Road, Suite 301, Dover, NH, 03820.

Date: April 5, 2023

By: /s/K. Joshua Scott
K. Joshua Scott